

Notice of Allowability

Application No.

10/078,108

Examiner

Helen L. Pezzuto

Applicant(s)

ARASE ET AL.

Art Unit

1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed on 2/4/05.
2. ☒ The allowed claim(s) is/are 4-6 and 8-10.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/4/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date attached.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Helen L. Pezzuto
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Julie M. Seaman on 3/28/05.

The application has been amended as follows:

In claim 4, line 3, after "composition" and before "comprises", please insert ---has improved dry etching rate, and---; on the 4th line after the structural units A and B shown in Formula (2), after "and is" and before "polymer comprising", please delete ---the---, and insert thereof ---a---; further on the 4th line after the structural units A and B of Formula (2), after "polymer comprising 10-" and before "mol% of", please delete ---100---, and insert thereof ---95---; on the 5th line after the structural unit A and B shown in Formula (2), after "90-" and before "mol%", please delete ---0---, and insert thereof ---5---.

In claim 6, lines 3-4, after " shown in", and before "the Formula (2)", please delete ---the Formula (1) or---.

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2. The following is an examiner's statement of reasons for allowance:

Applicant's amendment to claims 4, 6, 8-10, the cancellation of claims 1-3, and 7 filed in the response on 2/4/05 are hereby acknowledged. In light of applicant's amendment, previous 102 rejection over Wang et al. (US-421) is herein withdrawn. Wang et al. contain a N-halogenated phenyl maleimide unit as one of the essential component in patentees' terpolymer. This N-halogenated phenyl maleimide unit is not within the scope of applicant's maleimide structural unit (A) as amended. Wang et al. does not fairly suggest applicant's maleimide (A). Secondly, the 103 rejection over Padmanaban et al. is now withdrawn because applicant has shown criticality for the claimed polymer having A and B units, particularly a maleimide A having the recited R^1 as defined, in combination with (meth)acrylate B, having enhanced dry etching rate as shown in the comparative data of record. Applicant's claims are commensurate in scope with the showing of criticality. Accordingly, the instant invention as defined by claims 4-6, and 8-10 is allowable over prior art of record due to unobvious result demonstrated for the scope of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to

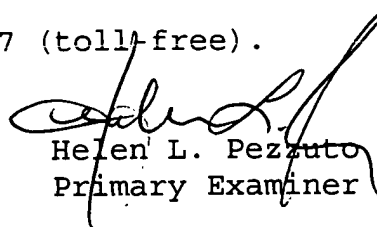
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avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen L. Pezzuto whose telephone number is (571) 272-1108. The examiner can normally be reached on 8 AM to 4 PM, Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Helen L. Pezzuto
Primary Examiner

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